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J. (9)

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

Sitting at Tokyo, Japan

Case No. I

THE UNITED STATES OF AMERICA, et al

v.

ARAKI, Sadao; et al

APPLICATION OF THE ACCUSED ITAGAKI, Seishiro  
FOR AN ORDER FOR PRODUCTION OF WITNESSES

Comes now the accused herein, ITAGAKI, Seishiro, and makes known to this Tribunal that he is desirous of obtaining from this Tribunal an order and process for the production at this trial of this case as witnesses in his behalf, the following persons:

Lt. General AYABE,

This witness' nationality is Japanese. He is at present in the custody of the British and said to be so held at Singapore, Malayan Peninsula. This witness was a Lieut. General and the Chief of Staff of the Japanese 7th Army serving on the Malayan Peninsula.

The facts concerning which this witness can give testimony are: that he had opportunity to observe the conditions of the prisoner of war camps in the area and the treatment of such prisoners of war and, that as supplies became available conditions were improved, that there was improvement in the treatment of the native population, after the accused ITAGAKI became commander of the 7th Army as compared to the conditions described by the witness Wild.

The relevancy of this testimony which this witness can give is that the conditions described by the witness Wild did not exist after the accused ITAGAKI became Commander of the Japanese 7th Army.

Major General SAITO, Masatoshi

This witness' nationality is Japanese. He is at present in the custody of the British and said to be so held at Singapore, Malayan Peninsula.

This witness was a Major General in the Japanese Army serving with the Japanese 7th Army as the Custodian of the Prisoner of War, for a period of about ten months prior to the end of hostilities, on the Malayan Peninsula area.

The relevancy of this testimony which this witness can give is that the conditions described by the witness Wild did not exist after the accused ITAGAKI became commander of the Japanese 7th Army.

WHEREFORE, your petitioner prays that appropriate order be entered herein for the issuance of process of this Tribunal ad testificandum for the production of each of the witnesses above mentioned at this trial.

The precise date upon which such witnesses' testimony will be given is not known to this petitioner but he states that their presence for the purpose of interview and consultation is current.

ITAGAKI, Seishiro

BY

Yamada, Honzo

Floyd J. Mattice  
His counsel.